

**CERTIFICATION UNDER 37 CFR 1.10**

EL 717797906 US

May 18, 2005

Express Mail Mailing Number

Date of Deposit

I hereby certify that this paper or fee, and any documents referred to as enclosed herein, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria VA, 22313-1450

GILBERT RAZO

Name of Person Mailing Application

Signature of Person Mailing Application

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

TSRI 651.6

U.S. APPLICATION NO. 10/535325  
To Be Determined

INTERNATIONAL APPLICATION NO.  
PCT/US03/37653

INTERNATIONAL FILING DATE  
18 November 2003 (18.11.03)

PRIORITY DATE CLAIMED  
18 November 2002 (18.11.02)

TITLE OF INVENTION

**METHOD OF TREATMENT OF MYOCARDIAL INFARCTION**

APPLICANT(S) FOR DO/EO/US

David A. CHERESH, Robert PAUL and Brian ELICEIRI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) 35 U.S.C. 371(c)(4)) and Power of Attorney (executed ) (3 documents).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 16 below concern other document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
- ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.

US APPLICATION NO. (If known, see 37 CFR 1.5) To Be Determined <b>10/535325</b>	INTERNATIONAL APPLICATION NO. PCT/US03/37653	ATTORNEYS DOCKET NUMBER TSRI 651.6
--	---	---------------------------------------

14. <input type="checkbox"/> A substitute specification and claims amended to conform the translated application to US practice 15. <input type="checkbox"/> A change of power of attorney and/or address letter. 16. <input checked="" type="checkbox"/> Other items or information: (a) Designation of Patent Practitioners (b) Copy of the First Page of International Publication; (c) Copy of International Search Report;	
--	--

17. <input checked="" type="checkbox"/> The following fees are submitted:  <input checked="" type="checkbox"/> a) BASIC NATIONAL FEE.....\$300.00 <input checked="" type="checkbox"/> b) EXAMINATION FEE.....\$200.00 <input checked="" type="checkbox"/> c) SEARCH FEE.....\$100.00  <div style="text-align: right;">TOTAL OF ABOVE CALCULATIONS = \$600.00</div> <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.	<b>CALCULATIONS</b> <span style="float: right;">PTO USE ONLY</span>																																																				
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>	\$600.00																																																				
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$0.00																																																				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">Claims</th> <th style="width:20%;">Number Filed</th> <th style="width:20%;">Number Extra</th> <th style="width:20%;">Rate</th> </tr> <tr> <td>Total Claims</td> <td>33-20</td> <td>13</td> <td>x \$50.00 =</td> </tr> <tr> <td>Independent Claims</td> <td>4-3</td> <td>1</td> <td>x \$200.00 =</td> </tr> </table>	Claims	Number Filed	Number Extra	Rate	Total Claims	33-20	13	x \$50.00 =	Independent Claims	4-3	1	x \$200.00 =	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20%;">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td style="width:20%;">\$360.00</td> <td style="width:20%;"></td> <td style="width:20%; text-align: center;">\$0.00</td> </tr> <tr> <td colspan="3" style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td style="text-align: center;">\$1,450.00</td> </tr> <tr> <td colspan="3" style="vertical-align: top;"> <input type="checkbox"/> Small Entity Status: Applicant claims small entity status. (See 37 CFR 1.27.)            Reduction of 1/2 for filing by small entity (if applicable).         </td> <td style="text-align: center; vertical-align: top;">\$0.00</td> </tr> <tr> <td colspan="3" style="text-align: right;"><b>SUBTOTAL =</b></td> <td style="text-align: center;">\$1,450.00</td> </tr> <tr> <td colspan="3" style="vertical-align: top;">           Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).         </td> <td style="text-align: center; vertical-align: top;">\$0.00</td> </tr> <tr> <td colspan="3" style="text-align: right;"><b>TOTAL NATIONAL FEE =</b></td> <td style="text-align: center;">\$1,450.00</td> </tr> <tr> <td colspan="3" style="vertical-align: top;">           Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40 per property         </td> <td style="text-align: center; vertical-align: top;">\$0.00</td> </tr> <tr> <td colspan="3" style="text-align: right;"><b>TOTAL FEES ENCLOSED =</b></td> <td style="text-align: center;">\$1,450.00</td> </tr> <tr> <td colspan="3" style="text-align: right;">Amount to be refunded</td> <td style="text-align: center;">\$</td> </tr> <tr> <td colspan="3" style="text-align: right;">charged</td> <td style="text-align: center;">\$</td> </tr> </table>	MULTIPLE DEPENDENT CLAIM(S) (if applicable)	\$360.00		\$0.00	<b>TOTAL OF ABOVE CALCULATIONS =</b>			\$1,450.00	<input type="checkbox"/> Small Entity Status: Applicant claims small entity status. (See 37 CFR 1.27.) Reduction of 1/2 for filing by small entity (if applicable).			\$0.00	<b>SUBTOTAL =</b>			\$1,450.00	Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			\$0.00	<b>TOTAL NATIONAL FEE =</b>			\$1,450.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40 per property			\$0.00	<b>TOTAL FEES ENCLOSED =</b>			\$1,450.00	Amount to be refunded			\$	charged			\$
Claims	Number Filed	Number Extra	Rate																																																		
Total Claims	33-20	13	x \$50.00 =																																																		
Independent Claims	4-3	1	x \$200.00 =																																																		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)	\$360.00		\$0.00																																																		
<b>TOTAL OF ABOVE CALCULATIONS =</b>			\$1,450.00																																																		
<input type="checkbox"/> Small Entity Status: Applicant claims small entity status. (See 37 CFR 1.27.) Reduction of 1/2 for filing by small entity (if applicable).			\$0.00																																																		
<b>SUBTOTAL =</b>			\$1,450.00																																																		
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			\$0.00																																																		
<b>TOTAL NATIONAL FEE =</b>			\$1,450.00																																																		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40 per property			\$0.00																																																		
<b>TOTAL FEES ENCLOSED =</b>			\$1,450.00																																																		
Amount to be refunded			\$																																																		
charged			\$																																																		

US APPLICATION NO. (if known, see 37 CFR 1.5)  
To Be Determined

INTERNATIONAL APPLICATION NO.  
PCT/US03/37653

ATTORNEYS DOCKET NUMBER  
TSRI 651.6

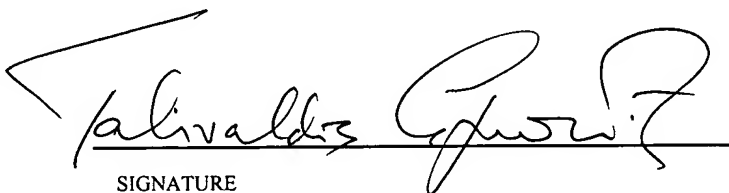
- a. ☒ A check in the amount of **\$1450.00** to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional filing fees which may be required, or credit any overpayment to Deposit Account No. 15-0508. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Customer No.: **002387**

Telephone: (312) 580-1180



SIGNATURE

Talivaldis CEPURITIS

NAME

20,818

REGISTRATION NO.

10/535325

JC20 Rec'd PCT/PTO 18 MAY 2005

EXPRESS MAIL LABEL NO. EL 717797906 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): David A. CHERESH *et al.* )  
 )  
Application. No.: Unknown )  
(National Stage of ) Group Art Unit: Unknown  
PCT/US03/37653) )  
Filed: 18 May 2005 )  
 ) Atty. Docket No. TSRI 651.6  
For: METHOD OF TREATMENT )  
OF MYOCARDIAL )  
INFARCTION )

DESIGNATION OF PATENT PRACTITIONERS

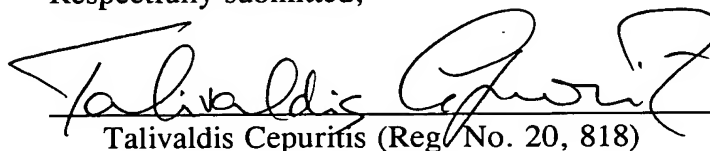
Mail Stop: PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Pursuant to 37 CFR§1.32(c)(3), the following patent practitioners are designated for the above-identified application:

Arne M. Olson	<u>30,203</u>
Michael A. Hierl	<u>29,807</u>
Dolores T. Kenney	<u>31,269</u>
Talivaldis Cepuritis	<u>20,818</u> (8)
Seymour Rothstein	<u>19,369</u>
Joseph M. Kuo	<u>38,943</u>
Martin J. Corn	<u>35,847</u>
Robert J. Ross	<u>45,058</u>

Respectfully submitted,

  
Talivaldis Cepuritis (Reg. No. 20, 818)

Date: May 18, 2005

OLSON & HIERL, LTD.  
20 North Wacker Drive, 36th Floor  
Chicago, Illinois 60606  
United States of America  
(312) 580-1180